



PATENT  
ATTORNEY DOCKET NO. 041465-5113

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Takao SAWABE et al. ) Confirmation No.: 4289  
Application No.: 09/900,152 ) Group Art Unit: 2655  
Filed: July 9, 2001 ) Examiner: A. Neyzari  
For: INFORMATION RECORDING MEDIUM, ) ATTN: Mail Stop Issue Fee  
INFORMATION RECORDING )  
APPARATUS AND METHOD, )  
INFORMATION REPRODUCING )  
APPARATUS AND METHOD, )  
COMPUTER DATA SIGNAL EMBODIED) )  
IN A CARRIER WAVE )

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Issue Fee  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(d)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449.

This Information Disclosure Statement (IDS) is being filed after the period specified in § 1.97(c) but before the payment of the issue fee for the above-identified application. Under the provisions of 37 C.F.R. § 1.97(d), this IDS is accompanied by the fee of \$180.00 set forth in § 1.17(p) and a statement specified in § 1.97(e).

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Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

The Commissioner is hereby authorization to charge deposit account no. 50-0310 in the amount of \$180.00 for filing this IDS.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: December 28, 2004

By:   
Victoria D. Hao  
Registration No. 47,630

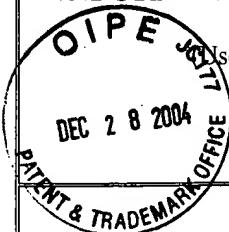
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Each item of information contained in this IDS was first cited in an Office Action issued by the Korean Patent Office on October 11, 2004 in a counterpart Korean patent application. Hence, pursuant to 37 C.F.R. §1.97(e)(1), Applicants respectfully submit that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. A copy of the Office Action issued on October 11, 2004 in a counterpart Korean patent application is enclosed for the Examiner's consideration.

JP 09-274776 listed on the accompanying PTO Form 1449 is in a language other than English. The relevance of this document can be understood from the attached machine translation thereof and the English-language abstract. In addition, WO 95/16262 listed on the accompanying PTO Form 1449 is in a language other than English. The relevance of this document can be understood from its English-language abstract and U.S. Patent No. 5,687,160, which corresponds to WO 95/16262.

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the cited references and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that any better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

<b>INFORMATION DISCLOSURE CITATION</b>  Use several sheets if necessary)  PTO Form 1449				Attorney Docket No. 041465-5113		Application No.: 09/900,152			
				Applicants: Takao SAWABE et al.				<b>PAGE 1 of 1</b>	
				Filing Date: July 9, 2001		Group Art Unit: 2655			
<b>U.S. PATENT DOCUMENTS</b>									
*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date		
<b>FOREIGN PATENT DOCUMENTS</b>									
		Document Number	Date	Country	Class	Sub Class	<u>Translation</u>		
		WO 95/16262	Jun. 15, 1995	PCT			YES English Abstract		
		JP 09-274776	Oct. 21, 1997	JP			NO x		
<b>OTHER DOCUMENTS</b> (Including Author, Title, Date, Pertinent Pages, Etc.)									
Examiner				Date Considered					
Examiner:		Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							